

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

JESSIE SERRANO, on her own behalf and on behalf of JOZEF MANGUAL SERRANO, a minor, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

INMEDIATA CORP.. a Delaware corporation, INMEDIATA HEALTH GROUP CORP., a Puerto Rico corporation, and DOES 1 to 10, inclusive,

Defendants.

Case No. 3:19-cv-01811-JAG

*Honorable Judge Jay A. Garcia-Gregory*

**DECLARATION OF THIAGO M.  
COELHO IN SUPPORT PLAINTIFFS'  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Complaint Filed: August 28, 2019

I, Thiago M. Coelho, declare as follows:

1. I am an attorney with Wilshire Law Firm, PLC, and I am licensed to practice law in all courts in the State of California. I have personal knowledge of the following, and if called as a witness, could and would testify competently thereto.

2. I am a graduate of the University of Southern California Law School, and I have devoted the vast majority of my years of practice to pursuing the rights of consumers in class action litigation, specifically including numerous data breach cases. I currently serve as President of The Data Privacy Trial Lawyers Association – Top 10. I have represented many Plaintiffs in data breach litigation in California and federal class actions, and I have learned to accurately judge the merits of their cases. This is a strong settlement for our case.

3. The negotiations leading to this settlement were vigorously contested. They began as early as March of last year, encompassing a mediation with the Hon. Daniel Wathen (Ret.) on July 31, 2020, which lasted a full day, and involved the informal exchange of discovery. The settlement negotiations did not resolve until February 10, 2021, when the parties reached settlement terms. That is approximately eleven months during which each issue was closely

examined and negotiated, at arms-length.

4. I am fully confident that this is a strong settlement for the class. Considering the overall value, inclusive of the subscriptions to Kroll's Web Watcher identity theft services, which amounts to, along with the settlement fund, up to a \$14 million value, the class members are being well-compensated for the harm they suffered. Class members are also being given the chance to make claims for out-of-pocket losses due to the data breach, as well as for time spent dealing with this crisis. One aspect of this settlement that I find particularly attractive for class members is that attorneys will be paid not one drop in attorneys' fees until every claim is paid. So a real recovery is possible here for those who have lost money and time due to the data breach, and attorneys' fees will not sweep away potential claims.

5. This settlement is particularly strong given the weaknesses in Plaintiff's case. The parties have uncovered no evidence that any data was actually stolen by any hackers; all we know is that it was publicly exposed for a period of time. Thus, the class members would have a difficult time showing injury as a result of the data breach. Whether individual class members' data was in fact stolen would also present individualized issues, potentially defeating class certification. Overall, this is a very fair settlement, and we believe it should be preliminarily approved so that notice may go out to the class members, who can make an informed decision about whether to join, abstain, or oppose it.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed this 10<sup>th</sup> day of May, 2021, at Los Angeles, California.

*s/ Thiago M. Coelho*  
Thiago M. Coelho, Esq.